

US EPA RECORDS CENTER REGION 5



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**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
NORTHWEST REGIONAL OFFICE/GARY**

**OFFICE OF SOLID WASTE COMPLIANCE
INSPECTION SUMMARY**

TO: Stephen Cherry, Attorney-Gary Development **DATE:** 10/02/96
Leah Foutty-Section Chief OSW
Bruce Palin-Branch Chief OSW
Matthew Klein-OE
Kay Nelson-Director NWRO

FROM: Robert Lamprecht-NWRO OSW
William Burns-NWRO OSW

INSPECTION DATE: 09/26/96 Multimedia Inspection

FACILITY: Gary Development Landfill
479 N. Cline Ave.
P.O. Box 6056
Gary, Indiana 46406 (219) 944-7858

Participating Agencies: Robert Lamprecht-OSW NWRO
William Burns-OSW NWRO
Mark Balazs-OWM NWRO
Bob Blaesing-OHW NWRO
Larry Osterholz-DNR Soil Conservation
Mike Mikulka-USEPA RCRA

On 09/25/96 a fly over inspection was conducted, the results of that fly over documented obvious violations. On 9-26-96 at 9:30am., a multi-media compliance inspection was conducted at the closed landfill known as Gary Development. Inspectors from OSW/NWRO were accompanied by the following programs and agencies: OHW, Bob Blaesing, OWM, Mark Balazs, DNR, Larry Osterholtz, and from EPA, Mike Mikulka. The team was met by a Larry Hagarn Jr., who identified himself as the only working employee of Gary Development. When asked about operations at the landfill, Hagarn stated that nothing was going on because of Gary Development being involved in a lawsuit with the USEPA and litigation is continuing. Most questions asked of Haggard received the reply, "contact our attorney".

This inspection was prompted as a result of environmental concerns as a result of the lack of maintenance, in addition to evidence of Open Dumping activities observed from the North side of the landfill. Inspectors documented what appeared to be rubbish and debris on the North slope which faces the Indiana Toll Road. It appeared that heavy equipment had been working the upper and lower areas, expanding the landfill where auto fluff was found from the top to the bottom of the North slopes. A pungent odor from escaping landfill gases was detected in this same area of the landfill.

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When Inspectors were at the site on 9-26-96, it was evident that open dumping had occurred in at least (5) five locations, these areas were photographed. Inspectors also observed severe erosion on all (4) four sides of the landfill. Many areas had trenches up to (4) four feet deep. While walking the site, a heavy rain was coming down and Inspectors witnessed water and sedimentation from the closed landfill going directly into the waters of the Grand Calumet River.

Inspectors also found medical waste, including patients registration cards, plastic and rubber medical tubing laying on the North West slopes. On the South side near the access road, Inspectors found a 55 gallon drum buried half way in sedimentation. Also observed, was an old generator on a trailer that had it's wheels submerged in the clay sedimentation half way.

When Inspectors completed the inspection, the employee Hagarn was questioned about the piles of trash and debris that looked freshly dumped. His reply was that it was a constant problem with unknowns dumping garbage and etc. outside the landfill gate. After he called the City's of Gary and East Chicago and got no response to the problem, he picked the waste up and carried on to the property and dumped it on the North slopes. Inspectors advised that bringing the waste and dumping it inside the closed landfill was not approved, and some other arrangements need to be made, his actions would be considered a Violation of Open Dumping. In conclusion, the violations noted on the property by Inspectors that warrant attention are; cleaning up and removing the newly deposited trash, wood, and debris, addressing the erosion problems, along with water and sedimentation run off into the Grand Calumet River.

VIOLATIONS DOCUMENTED

Listed below are the violations of Indiana Environmental regulations, the Indiana Department Environmental Management Act and/or the permit observed during the inspection:

- *Lack of Required Vegetation on landfill
- *Environmental/Health, Exposed Medical Waste
- *Slope and Layers, No Maintenance
- *Waste Deposited in Water
- *Run-off Controls, No Indication of Preventive Measures
- *Run-off/Discharge Handling, No Measures Found

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- *Additional Erosion/Sedimentation Control Measures
- *Basin Drainage Control Measures, Non-operation Equipment
- *Cover Continuous Maintenance, No Evidence of Daily Activities
- *Rills/Guiles, Severe Erosion Documented
- *Methane Gas Management, No Operational Flare or Collection System
- *Open Dumping of Solid Waste at a Closed landfill,
- *Cover General Provisions, Waste Exposed Due to Lack of Cover Material
- *Surface Water Requirements, Standing Pools of Surface Water Due to Lack of Proper Grading and Engineering

All documented violations must be corrected immediately. Follow-up inspections will be conducted to determine compliance.

Mr. Hagarn stated that their attorney would like copies of all our inspection reports and photographs when available. Any other questions or correspondence should be addressed to their attorney. This inspection report will be mailed to Attorney Stephen Cherry upon completion.

Law Firm of: Bose McKinney & Evans
Attention-Attorney Stephen Cherry
2700 First Indiana Place
135 N Pennsylvania Street
Indianapolis, Indiana 46204
(317) 684-5105

Photos taken:

Office of Solid Waste Compliance:


Robert G. Lamprecht- Inspector


William Burns-Inspector 10-2-96